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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

Portland

JENNIFER JOY FREYD,

**CV. 6:17-cv-448-MC**

Plaintiff,

v.

UNIVERSITY OF OREGON, MICHAEL H.  
SCHILL and HAL SADOFSKY,

Defendants.

**DECLARATION OF NICHOLAS B.  
ALLEN IN SUPPORT OF  
DEFENDANTS UNIVERSITY OF  
OREGON AND SADOFSKY'S  
MOTION FOR SUMMARY  
JUDGMENT**

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I, Nicholas B. Allen, declare as follows:

1. I am the Ann Swindells Professor of Clinical Psychology with an academic appointment in the Department of Psychology, current Director of Clinical Training, and Director for the Center of Digital Mental Health at the University of Oregon.

2. I am making this declaration at the request of the Office of the General Counsel of the University of Oregon. Dr. Jennifer Freyd is a valued colleague, and I strongly support the University adopting policies and procedures that support and enhance gender equity in all areas of academic life. I am not in a position to have an informed view of my colleague's specific litigation,

but I understand that it may be beneficial to the court to have information about the nature, extent and scope of my day to day duties, responsibilities and accountabilities.

3. My current research interests are in the fields of Adolescent Development and Mental Health, Mood Disorders, Sleep, Developmental Social and Affective Neuroscience, Family Processes, Digital Mental Health, Assessment and Intervention, and Prevention Research. Those research interests may be generally described as follows: throughout the lifespan there are certain developmental transitions that appear to be particularly important for determining a person's mental health. The transition from childhood to adolescence is especially important, as many serious mental health problems, such as depression and substance abuse, emerge for the first time during or after this transition. In my research group, we use a developmental psychopathology approach to understand how children and adolescents are affected by the environments in which they grow up. We have especially focused on how family interactions and other aspects of the child's environment that have been shown to increase risk for mental health problems (e.g., stress, abuse, socio-economic disadvantage) influence the child or adolescent's emotional functioning and the development of the biological systems that undergird these emotions. The aim of this work is to not only shed light on the underlying causes of mental health and ill-health during these stages of life, but also to inform developmentally targeted approaches to prevention and early intervention, including studies focusing on sleep, parenting, and teen sexual and romantic relationships as modifiable risk factors for poor mental health. Through the Center for Digital Mental Health our work focuses on using mobile and wearable devices, and social media, to unobtrusively track and analyze behavior in order to detect mental health needs and provide adaptive, personalized interventions exactly when users need them.

4. My professional background is more fully described in the curriculum vitae attached hereto as Exhibit A.

5. I joined the University of Oregon in 2014 from the University of Melbourne, Australia as an invited applicant. At that time, I was a full Professor at that institution and had a significant amount of grant supported research and was able to move some of that work with me to the University of Oregon. Although the funding for this work could not be transferred internationally, I was able to continue to manage projects from the University of Oregon, and to offer my students and collaborators at Oregon the opportunity to participate in this work. I am active in seeking grant funding and have been the PI or primary investigator on a large federal grant from the National Institute of Health as well as a co-PI on two others. I have recently been advised that I will be awarded another large NIH grant on which I am the primary investigator. I also have responsibilities for a grant from the Gates Foundation and the National Science Foundation. I have been engaged in preparing submissions for grants since I joined the University and have submitted funding proposals for an average of three or four major grants each year. Grant submissions require the preparation of complex and detailed documents and these submission documents can be as large as 500 pages. I often have taken overall responsibility for the preparation of those submissions.

6. In terms of the specific research grants I hold, I have obtained or participated in obtaining funding for a 2018-22 research project on Mobile Assessment for the Prediction of Suicide, a grant in excess of \$3 million from the National Institute of Child Health and Development for a study of Depressed Mothers' Parenting (which began in 2015 and will run to 2020), a \$2.7 million grant from the National Institute of Mental Health, on which I work as Co-Investigator with my University colleague, Jennifer Pfeifer, doing work on a longitudinal neuroimaging study related to early adolescent mental health. The grant from the Bill and Melinda Gates Foundation, on which I am Co-Investigator, is an award of \$3.5 million to develop and test a learning intervention with a goal of promoting positive gender norm transformative social emotional learning in early adolescents. I have successfully completed a number of grant-funded

projects and have developed the skills and experience to work successfully on large funded research projects.

7. Grant administration responsibilities are complex, time consuming, and an important part of doing funded research. The PI on an NIH grant, for example, is responsible to ensure that the funded research is performed including the management of the students and researchers to make sure that milestones are met. In the case of the NIH grant mentioned above, I am also responsible for preparation and submission of an annual progress report on which the next year's funding is contingent. I also have the responsibility to manage the budgets, manage the ethical aspects of the research in accordance with federal requirements, drive the scientific process, and do media and other communications. Those responsibilities are tied to all the large federal grants, which means that I have those same responsibilities for several other grants and funding agencies. The PI responsibility with grants of this type is significant and a very big part of my work.

8. Amongst a wide range of administrative positions, I currently chair the Faculty Advisory Committee for the Lewis Center for Neuroimaging, a role I have filled since 2015.

9. The type of research I am doing is differentiated from other kinds of research that may be conducted by other methods such as questionnaires. It involves recruiting participants from the community and techniques that present unique ethical responsibilities because I work with brain imaging, requiring the subjects to consent to a brain scanner. The scanning process must be properly conducted and there are ethical considerations for those circumstances when the scanning process identifies brain abnormalities and determining what duty of care the researchers have. At times my staff has contacted me because of concerns that a subject is actively suicidal. Additionally, the work requires that we collect biological samples. The use of scanning and imaging technology requires oversight over the process and the technological staff.

10. I am the Director of the Center for Digital Mental Health, which uses new technology to develop mental health treatments. I developed the vision and initiated the process to set up the center, lobbied for it, gathered broad support for it within the University and was the founder or creator of it. I spent time building partnerships with people outside the University such as in technology companies, some of whom are actual or potential funding resources. That requires a different kind of fundraising from the kind of grant submissions I also do and is closer to seeking philanthropic funding. I have developed relationships with a foundation created by Melinda Gates, separate from the Bill & Melinda Gates Foundation, and I have consulted extensively in an effort to seek funding, and I work with external organizations which deliver mental health interventions.

11. At the beginning of 2017-18 academic year I accepted the responsibilities of the Director of Clinical Training and expect to hold that position for another two years. My predecessor in the position was Dr. Phil Fisher and he succeeded Dr. Gordon Hall in that position. At present, and from the time I accepted this position, the Department is going through a re-accreditation process with the American Psychological Association. This is a very burdensome process and I have had the lead responsibility for the work. An initial responsibility for the re-accreditation process is the preparation of a self-study document that details the program's activities and reports a wide variety of data, such as (for example) the results of alumni surveys, and procedures and processes for contingencies (such as academic misconduct, student misconduct, and student performance). This phase will be followed by a site visit by a team of clinical psychology professors from other universities who will interview faculty and students and visit practicum sites and provide input or follow-up requirements as part of the re-accreditation process. In this first year, I estimate having spent hundreds of hours in preliminary work, including the self-study preparation, collection of data, and internal and external meetings related specifically to the accreditation requirements. The accreditation process is not the only aspect of being the Director of Clinical Training. The position requires regular work with students on their

clinical work, evaluating the strategic direction of courses, ensuring that the students are and remain in good standing and are proceeding properly and remain on track through the clinical training. The position also requires consideration of student policies and, at times, discussion with the administration about student tuition policies such as occurred in my first year as Director when I addressed issues related to seeking exemptions for student tuition payments during their practicum.

**I hereby declare under penalty of perjury that the foregoing is true and correct.**

Executed, on July 5, 2018.



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Nicholas B. Allen

**CERTIFICATE OF SERVICE**

I hereby certify that on the 16th day of November, 2018, I served the foregoing  
**DECLARATION OF NICHOLAS B. ALLEN IN SUPPORT OF DEFENDANTS  
UNIVERSITY OF OREGON AND SADOFSKY'S MOTION FOR SUMMARY  
JUDGMENT** on the following parties at the following addresses:

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by the following indicated method or methods set forth below:

- ☒ **Electronic Filing using the Court's ECF System**
- ☐ **First-class mail, postage prepaid**
- ☐ **Hand-delivery**
- ☐ **Overnight courier, delivery prepaid**
- ☐ **E-mail**

*s/Paula A. Barran*

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Paula A. Barran  
Shayda Zaerpoor Le